

MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 19th day of December, two thousand nineteen.

Before: John M. Walker, Jr.,
Debra Ann Livingston,
Susan L. Carney,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: Dec 19 2019

Carmen Aquino,

ORDER

Plaintiff-Appellee,

Docket No. 19-3911

Elsa Gulino, Mayling Ralph, Peter Wilds, Nia
Greene, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

Board of Education of the City School District of the
City of New York,

Defendant - Appellant,

New York State Education Department,

Defendant.

On November 18, 2019, The Board of Education of the City School District of the City of New York appealed from a judgment entered in 96-cv-8414 on October 25, 2019. A case management order entered on June 3, 2019 in the lead appeal, Gulino v. Board of Education of the City School District of the City of New York (Munoz), docket no. 19-1162 (entry no. 26), directs that the appeals filed by September 3, 2019 will be considered in tandem with the lead appeal. This appeal was filed after September 3, 2019 and therefore is not included in the case management order.

IT IS HEREBY ORDERED that the above-captioned appeal is REMANDED for further proceedings in the district court following this Court's determination of the lead appeal, or as the

MANDATE ISSUED ON 12/19/2019

district court deems appropriate. Following the district court's action, either party may restore jurisdiction to this court by notifying the Clerk of Court by letter that it seeks further appellate review. No new notice of appeal will be required. See United States v. Jacobson, 15 F.3d 19, 21-23 (2d Cir. 1994). The Clerk is directed to issue the mandate forthwith.

For the Court:

Catherine O'Hagan Wolfe,
Clerk of Court

The block contains a handwritten signature in black ink that reads "Catherine O'Hagan Wolfe". The signature is written over a circular official seal. The seal has a red outer ring with the words "UNITED STATES" at the top and "COURT OF APPEALS" at the bottom. Inside the ring, the words "SECOND CIRCUIT" are written in the center, flanked by two small stars.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

This block contains a second instance of the handwritten signature "Catherine O'Hagan Wolfe" over the same circular official seal of the United States Court of Appeals, Second Circuit, as seen in the signature block above.